

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AMANDA BENSON,

Plaintiff,

vs.

CITY OF LINCOLN, a political
subdivision; CHRIS BEUTLER, TOM
CASADY, DOUG MCDANIEL, TIM
LINKE, LEO BENES, ERIC JONES,
DARREN MERRYMAN, and SHAWN
MAHLER,

Defendants.

4:18CV3127

ORDER

The parties' joint motion, (Filing No. 76), is granted and the final progression order is extended as follows:

- 1) The trial and pretrial conference will not be set at this time. A status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **March 10, 2021** at **1:30 p.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is February 26, 2021. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by March 12, 2021.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the defendant(s): October 15, 2020.

Plaintiff(s)' rebuttal: December 15, 2020, or 60 days after Defendant's disclosure if that disclosure is served after October 15, 2020.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is February 26, 2021.

The maximum number of depositions that may be taken by the plaintiffs as a group and by the defendants as a group is 20.

- 5) The deadline for filing motions to dismiss and motions for summary judgment is April 2, 2021.

- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is April 2, 2021.

- 7) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.

- 8) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

- 9) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

- 10) All other deadlines in the court's prior progression order are unchanged.

August 26, 2020

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge